

AMENDMENT TO PROVISIONAL CERTIFICATE OF
APPROVAL
WASTE DISPOSAL SITE
NUMBER 0084-78RKAM
Notice No. 4
Issue Date: August 14, 2009

Niagara Waste Systems Limited
Post Office Box, No. 100
Thorold, Ontario
L2V 3Y8

Site Location: Walker South Landfill
Lots 31, 49, 50 and 66
Former Township of Stamford
Niagara Falls City, Regional Municipality of Niagara

You are hereby notified that I have amended Provisional Certificate of Approval No. 0084-78RKAM issued on January 30, 2008, and amended on January 29, 2009 and April 17, 2009 for the use and operation of a 53.9 hectare waste disposal site within a total site area of 85.68 hectares, being known as the South Landfill Site, as follows:

91.(1) Approval is hereby granted for the construction of temporary berm, temporary leachate pump chamber, and temporary forcemain in Stage 1 of the Site in accordance with Items 31 through 35 in Schedule "A".

(2) Prior to completion of Stage 1 Liner and Leachate Collection System, the *Owner* shall notify the *District Manager* in writing when the permanent leachate pump chamber shall be in operation and the temporary leachate pump chamber and forcemain be decommissioned.

(3) Within sixty (60) days of issuance of this notice, the *Owner* shall submit to the *Director* for approval, an amendment to the Design and Operations Report listed as Item 3 in Schedule "A" detailing the change in landfill phasing.

The following items are hereby added to Schedule "A":

31. Letter dated July 17, 2009 addressed to Greg Washuta, Ministry of the Environment from Edward San, AECOM Canada Ltd. regarding the revisions to temporary works in the detailed design of Stage 1 Liner and Leachate Collection System.

32. Letter dated July 23, 2009 addressed to Edward San, AECOM from Rick Li, Ministry of the Environment providing comments on the submitted design for temporary works.

33. Letter dated July 27, 2009 addressed to Rick Li, Ministry of the Environment from Edward San, AECOM providing response to the Ministry's July 23, 2009 letter.

34. New and updated Detailed Design Drawings for Stage 1 Liner and Leachate Collection System:

(1) Drawing No. LF-011 "Typical Details - Details of Base Liner at Toe of Slope Along East Side Slope / Cross Section 'F' / Detail '24' " Revision C dated July 15, 2009 prepared by AECOM.

(2) Drawing No. LF-016 "Temporary Leachate Chamber and Forcemain Plan" Revision C dated July 27, 2009 prepared by AECOM.

(3) Drawing No. LF-017 "Typical Details - Alternative Temporary Berm" Revision C dated July 27, 2009 prepared by AECOM.

(4) Drawing No. LF-018 "Typical Details - Alternative Temporary Berm with Increased Height" Revision B dated July 15, 2009 prepared by AECOM.

(5) Drawing No. LF-019 "Temporary Pump Chamber" Revision B dated July 15, 2009 prepared by AECOM.

35. Updated Specification for Section 3 "Temporary Berm" prepared by AECOM dated July 2009.

The reason for this amendment to the Certificate of Approval is as follows:

To approve the construction of temporary works required in the development of first waste cell within the flat portion of Stage 1.

This Notice shall constitute part of the approval issued under Provisional Certificate of Approval No. 0084-78RKAM dated January 30, 2008

In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990, Chapter E-19, as amended, you may by written notice served upon me and the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 142 of the Environmental Protection Act, provides that the Notice requiring the hearing shall state:

1. The portions of the approval or each term or condition in the approval in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;

6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the waste disposal site is located;

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, 15th Floor
Toronto, Ontario
M5G 1E5


AND

The Director
Section 39, *Environmental Protection Act*
Ministry of the Environment
2 St. Clair Avenue West, Floor 12A
Toronto, Ontario
M4V 1L5

* Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 314-4600, Fax: (416) 314-4506 or www.ert.gov.on.ca

The above noted waste disposal site is approved under Section 39 of the Environmental Protection Act.

DATED AT TORONTO this 14th day of August, 2009



Tesfaye Gebrezghi, P.Eng.
Director
Section 39, *Environmental Protection Act*

RL/

c: District Manager, MOE Niagara
Edward San, AECOM